

THIRD DAY

(Tuesday, January 17, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Absent-excused: Washington.

A quorum was announced present.

The Reverend Father David O'Brien, Pastor, St. Austin's Catholic Church, Austin, Texas, offered the invocation as follows:

Almighty Father, source of all law and justice, we humbly ask Your guidance in our deliberations. May we always carry out our responsibilities with justice and compassion. Grant Your blessing upon us, upon this assembly, and upon the great State we serve.

In a special way this morning we ask You to grant Your blessing on Lloyd Bentsen, Sr., who died this morning in an automobile wreck; and especially for those he leaves behind for a time. In Your name we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Truan.

MESSAGE FROM THE HOUSE

House Chamber
January 17, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 8. In memory of former State Representative Albert Brown.

S.C.R. 11. Inviting President George Bush to address a joint session.

S.C.R. 12. Granting permission to the Austin Jaycees to use the House and Senate chambers on January 21, 1989, and January 20, 1990.

S.C.R. 4. Inviting Dr. Winfred Godwin to address a joint session.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORT OF STANDING COMMITTEE

Senator Sims submitted the following report for the Committee on Administration:

S.B. 91**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.J.R. 12 by Harris State Affairs
Proposing a constitutional amendment to change the oath for elected and appointed officers.

S.C.R. 15 by Montford State Affairs
Urging the Texas congressional delegation to oppose the imposition of a federal motor fuel tax increase to achieve deficit reduction.

S.C.R. 16 by Montford State Affairs
Urging the Texas congressional delegation to strongly support the removal of the transportation trust funds from the federal budget.

S.B. 157 by Washington, Johnson, Tejeda State Affairs
Relating to the observance of the birthday of Martin Luther King, Jr., as a state holiday.

S.B. 158 by Leedom State Affairs
Relating to the organization, powers, and duties of the energy management center of the office of the governor.

S.B. 159 by Leedom Intergovernmental Relations
Relating to the use of sales and use tax revenue in certain rapid transit authorities for high-volume occupancy lanes.

S.B. 160 by Sims Economic Development
Relating to the creation of the Rural Economic Development Commission and recommendations for development and economic growth of rural areas and expanding agribusiness.

S.B. 161 by Green Economic Development
Relating to insurers who are members of the Life, Accident, Health and Hospital Service Insurance Guaranty Association.

S.B. 162 by Leedom, Zaffirini State Affairs
Relating to consent or refusal of a driver to submit to the taking of specimens of breath or blood.

S.B. 163 by Parker Criminal Justice
Relating to the creation of the offense of intentionally exposing another to AIDS or HIV; to AIDS testing for certain persons who have been arrested; and to notification of persons who may have been exposed to AIDS during the commission of an offense by another or the arrest of another.

S.B. 164 by Parker Economic Development
Relating to the protection of certain employees who report a violation of law or rule or refuse to enter certain work situations; providing a penalty.

S.B. 165 by Henderson Economic Development
Relating to creation and operation of the Texas exporters loan fund.

S.B. 166 by Barrientos

Finance

Relating to an emergency pay raise for state employees.

S.R. 17 by Brooks

Administration

Granting the interim study committee of the Task Force on Waste Management Policy permission to retain one staff person through May 29, 1989, to coordinate and complete all its necessary work.

CO-AUTHOR OF SENATE BILL 61

On motion of Senator Montford and by unanimous consent, Senator Santiesteban will be shown as Co-author of **S.B. 61**.

CO-AUTHOR OF SENATE BILL 90

On motion of Senator Montford and by unanimous consent, Senator Krier will be shown as Co-author of **S.B. 90**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 5

On motion of Senator Montford and by unanimous consent, Senator Santiesteban will be shown as Co-author of **S.J.R. 5**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 11

On motion of Senator McFarland and by unanimous consent, Senator Santiesteban will be shown as Co-author of **S.J.R. 11**.

SENATE CONCURRENT RESOLUTION 14

Senator Brooks offered the following resolution:

S.C.R. 14, Granting the legislature permission to adjourn more than three days during the period of January 18-23 and March 22-28, 1989.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

SENATE RESOLUTION 10

Senator Barrientos offered the following resolution:

S.R. 10, Congratulating Matthew Thomas Romberg on winning a national championship in sailing.

The resolution was read and was adopted viva voce vote.

GUEST PRESENTED

Senator Sims was recognized and presented Dr. Raymond Smith of Fredericksburg.

Dr. Smith, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

GUESTS PRESENTED

Senator Brooks was recognized and introduced Ms. Eleanor Tinsley, Member-at-Large of the Houston City Council, and Mr. Rex Sedwick, Manager, Financial Institute Services, Houston.

The Senate extended a warm welcome to these guests.

SENATE RESOLUTION 13

Senator Caperton offered the following resolution:

S.R. 13. Commending Judge LeRoy Grebe for the diligence and competence he brought to his work on behalf of Austin County residents and expressing best wishes for an enjoyable retirement.

The resolution was read and was adopted viva voce vote.

GUEST PRESENTED

Senator Caperton escorted Judge Grebe to the President's Rostrum and presented him to the Members of the Senate.

Judge Grebe received a welcome from the Senate.

CONGRATULATORY RESOLUTIONS

S.R. 14 - By Henderson: Expressing the appreciation and gratitude of the Senate to Dr. Jack Haley of Houston, Capitol Physician, January 11, 1989.

S.R. 15 - By Bivins: Extending congratulations to the City of Canyon and Randall County on the occasion of their 100th anniversary.

RECESS

On motion of Senator Brooks, the Senate at 11:17 a.m. took recess until 11:00 a.m. tomorrow.

APPENDIX

Filed with the Secretary of State
(January 17, 1989)

S.C.R. 9

THIRD DAY

(Continued)

(Wednesday, January 18, 1989)

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by the President.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Glasgow and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.R. 25 by Glasgow Administration
Providing for the Permanent Rules of the Senate, 71st Legislature.

S.C.R. 17 by Washington Jurisprudence
Granting Gary Shepherd Co., Inc., permission to sue the State of Texas and The Texas A&M University System.

S.J.R. 13 by Sims State Affairs
Proposing a constitutional amendment relating to the time during which a person may apply for a patent on public land.